

APPENDIX B

CLAIMS PENDING WITH ENTRY OF AMENDMENT

78. (Amended) A method of introducing an isolated polynucleotide into a host cell comprising:

- (a) providing an isolated polynucleotide according to claim 81;
- and
- (b) contacting the polynucleotide with the host cell under conditions that permit insertion of the polynucleotide into the host cell.

81. (New) An isolated promoter polynucleotide which specifically initiates transcription in a plant suspensor cell and/or basal region of a plant embryo, the promoter polynucleotide comprising a promoter control element comprising nucleotides - 921 to -767 displayed in Figure 2.

82. (New) The isolated promoter polynucleotide of claim 81, wherein the promoter polynucleotide comprises SEQ ID NO:1.

83. (New) The isolated promoter polynucleotide of claim 81, wherein the promoter polynucleotide comprises a heterologous basal promoter sequence.

84. (New) The isolated promoter polynucleotide of claim 1, wherein the heterologous basal promoter comprises a minimal CaMV 35S promoter.

85. (New) An expression cassette comprising the promoter polynucleotide of claim 81 operably linked to a heterologous polynucleotide.

86. (New) The expression cassette of claim 85, wherein the promoter polynucleotide comprises a heterologous basal promoter sequence.

87. (New) The expression cassette of claim 86, wherein the promoter polynucleotide comprises a minimal CaMV 35S promoter.

88. (New) The expression cassette of claim 85, wherein the promoter polynucleotide comprises SEQ ID NO:1.

89. (New) A vector comprising the expression cassette of claim 85.
90. (New) A host cell comprising the expression cassette of claim 85.
91. (New) The host cell of claim 85, wherein the host cell is a plant cell.
92. (New) A plant comprising the expression cassette of claim 85.